

111TH CONGRESS  
1ST SESSION

# S. 1547

To amend title 38, United States Code, and the United States Housing Act of 1937 to enhance and expand the assistance provided by the Department of Veterans Affairs and the Department of Housing and Urban Development to homeless veterans and veterans at risk of homelessness, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JULY 30, 2009

Mr. REED (for himself, Mr. BOND, Mrs. MURRAY, Mr. JOHNSON, Mr. KERRY, and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

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## A BILL

To amend title 38, United States Code, and the United States Housing Act of 1937 to enhance and expand the assistance provided by the Department of Veterans Affairs and the Department of Housing and Urban Development to homeless veterans and veterans at risk of homelessness, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Zero Tolerance for  
5 Veterans Homelessness Act of 2009”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) veterans are at a greater risk of becoming  
4 homeless than other people in the United States, be-  
5 cause of characteristics that include—

6 (A) having employment-related skills that  
7 are unique to military service and that can be  
8 difficult to transfer to the civilian sector;

9 (B) combat-related health issues;

10 (C) earning minimal income or being un-  
11 employed; and

12 (D) a shortage of safe, affordable housing;

13 (2) the Department of Veterans Affairs esti-  
14 mates that—

15 (A) 131,000 veterans are homeless on any  
16 given night;

17 (B) more than 200,000 veterans experience  
18 homelessness each year; and

19 (C) veterans account for nearly  $\frac{1}{5}$  of all  
20 homeless people in the United States;

21 (3) approximately 1,500,000 veterans, nearly  
22 6.3 percent of the veterans in the United States,  
23 have an income that falls below the Federal poverty  
24 level, and approximately 634,000 veterans have an  
25 income below 50 percent of the Federal poverty  
26 level;

1 (4) the Department of Veterans Affairs is only  
 2 adequately funded to respond to the health, housing,  
 3 and supportive services needs of approximately  $\frac{1}{3}$  of  
 4 the veterans in the United States; and

5 (5) it is expected that significant increases in  
 6 services will be needed to serve the aging veterans  
 7 of the Vietnam war and members of the Armed  
 8 Forces returning from Operation Iraqi Freedom and  
 9 Operation Enduring Freedom.

10 **SEC. 3. PROGRAM ON PREVENTION OF VETERAN HOME-**  
 11 **LESSNESS.**

12 (a) PROGRAM ON PREVENTION OF VETERAN HOME-  
 13 LESSNESS.—

14 (1) IN GENERAL.—Subchapter VII of chapter  
 15 20 of title 38, United States Code, is amended by  
 16 adding at the end the following new section:

17 **“§ 2067. Prevention of veteran homelessness**

18 **“(a) PREVENTION OF VETERAN HOMELESSNESS.—**  
 19 Not later than 180 days after the date of the enactment  
 20 of this section, the Secretary shall establish a program  
 21 within the Veterans Benefits Administration to prevent  
 22 veteran homelessness by—

23 **“(1) identifying in a timely fashion any veteran**  
 24 **who is homeless or at imminent risk of becoming**  
 25 **homeless; and**

1           “(2) providing assistance sufficient to ensure  
2           that each veteran identified under paragraph (1)  
3           does not become or remain homeless.

4           “(b) TYPES OF ASSISTANCE.—The assistance pro-  
5           vided under subsection (a)(2) may include the following:

6           “(1) The provision of short-term or medium-  
7           term rental assistance.

8           “(2) Housing relocation and stabilization serv-  
9           ices, including housing search, mediation, and out-  
10          reach to property owners.

11          “(3) Services to resolve personal credit issues  
12          that have led to negative credit reports.

13          “(4) Assistance with paying security or utility  
14          deposits and utility payments.

15          “(5) Assistance with covering costs associated  
16          with moving.

17          “(6) A referral to a program of another depart-  
18          ment or agency of the Federal Government.

19          “(7) Such other activities as the Secretary con-  
20          siders appropriate to prevent veterans homelessness.

21          “(c) NO DUPLICATION OF SERVICES.—The Secretary  
22          may provide assistance under subsection (a)(2) to a vet-  
23          eran receiving supportive services from an eligible entity  
24          receiving financial assistance under section 2044 of this  
25          title only to the extent that the assistance provided under

1 subsection (a)(2) does not duplicate the supportive serv-  
 2 ices provided to such veteran by such entity.

3 “(d) STAFFING.—The Secretary shall assign such  
 4 employees at such locations as the Secretary considers  
 5 necessary to carry out this section.

6 “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
 7 are authorized to be appropriated to carry out this section  
 8 \$50,000,000 for each of fiscal years 2010 through 2014.”.

9 (2) CLERICAL AMENDMENT.—The table of sec-  
 10 tions at the beginning of chapter 20 of such title is  
 11 amended by adding at the end the following new  
 12 item:

“2067. Prevention of veteran homelessness.”.

13 (b) RESPONSIBILITIES OF HOMELESS VETERANS  
 14 PROGRAM COORDINATORS.—Section 2003(a) of such title  
 15 is amended—

16 (1) in paragraph (3), by striking “The housing”  
 17 and inserting “Any housing”;

18 (2) by redesignating paragraph (7) as para-  
 19 graph (8); and

20 (3) by inserting after paragraph (6) the fol-  
 21 lowing new paragraph (7):

22 “(7) The program under section 2067 of this  
 23 title.”.

24 (c) REPORT.—Not later than 180 days after the date  
 25 of the establishment of the program required by section

1 2067 of title 38, United States Code, as added by para-  
 2 graph (1), the Secretary of Veterans Affairs shall submit  
 3 to Congress a report on the operation of such program.

4 **SEC. 4. ENHANCEMENT OF COMPREHENSIVE SERVICE PRO-**  
 5 **GRAMS.**

6 (a) ENHANCEMENT OF GRANTS.—Section 2011 of  
 7 title 38, United States Code, is amended—

8 (1) in subsection (a), by striking “Subject to  
 9 the availability of appropriations provided for such  
 10 purpose, the” and inserting “The”;

11 (2) in subsection (b)(1)(A), by inserting “new  
 12 construction,” before “expansion”; and

13 (3) in subsection (c)—

14 (A) in the first sentence, by striking “A  
 15 grant” and inserting “(1) A grant”;

16 (B) in the second sentence of paragraph  
 17 (1), as designated by subparagraph (A), by  
 18 striking “The amount” and inserting the fol-  
 19 lowing:

20 “(2) The amount”; and

21 (C) by adding at the end the following new  
 22 paragraph:

23 “(3)(A) The Secretary may not deny an application  
 24 from an entity that seeks a grant under this section to  
 25 carry out a project described in subsection (b)(1)(A) solely

1 on the basis that the entity proposes to use funding from  
 2 other private or public sources, if the entity demonstrates  
 3 that a private nonprofit organization will provide oversight  
 4 and site control for the project.

5 “(B) In this paragraph, the term ‘private nonprofit  
 6 organization’ means the following:

7 “(i) An incorporated private institution, organi-  
 8 zation, or foundation—

9 “(I) that has received, or has temporary  
 10 clearance to receive, tax-exempt status under  
 11 paragraphs (2), (3), or (19) of section 501(c) of  
 12 the Internal Revenue Code of 1986;

13 “(II) for which no part of the net earnings  
 14 of the institution or foundation inures to the  
 15 benefit of any member, founder, or contributor  
 16 of the institution or foundation; and

17 “(III) that the Secretary determines is fi-  
 18 nancially responsible.

19 “(ii) A for-profit limited partnership or limited  
 20 liability company, the sole general partner of which  
 21 is an organization that is described by subclauses (I)  
 22 through (III) of clause (i).

23 “(iii) A corporation wholly owned and controlled  
 24 by an organization that is described by subclauses  
 25 (I) through (III) of clause (i).”.

1 (b) STUDY AND REPORT ON PER DIEM PAY-  
2 MENTS.—

3 (1) STUDY AND DEVELOPMENT OF PAYMENT  
4 METHOD.—Not later than one year after the date of  
5 the enactment of this Act, the Secretary of Veterans  
6 Affairs shall—

7 (A) complete a study of all matters relat-  
8 ing to the method used by the Secretary to  
9 make per diem payments under section 2012(a)  
10 of title 38, United States Code; and

11 (B) develop an improved method for ade-  
12 quately reimbursing recipients of grants under  
13 section 2011 of such title for services furnished  
14 to homeless veterans.

15 (2) CONSIDERATION.—In developing the meth-  
16 od required by paragraph (1)(B), the Secretary may  
17 consider payments and grants received by recipients  
18 of grants described in such paragraph from other  
19 departments and agencies of Federal and local gov-  
20 ernments and from private entities.

21 (3) REPORT.—Not later than one year after the  
22 date of the enactment of this Act, the Secretary of  
23 Veterans Affairs shall submit to Congress a report  
24 on—



1 (A) the findings of the Secretary with re-  
 2 spect to the study required by subparagraph  
 3 (A) of paragraph (1);

4 (B) the method developed under subpara-  
 5 graph (B) of such paragraph; and

6 (C) any recommendations of the Secretary  
 7 for revising the method described in subpara-  
 8 graph (A) of such paragraph and any legislative  
 9 action the Secretary considers necessary to im-  
 10 plement such method.

11 (c) AUTHORIZATION OF APPROPRIATIONS.—Section  
 12 2013 of such title is amended by striking “subchapter  
 13 \$150,000,000” and all that follows through the period and  
 14 inserting the following: “subchapter—

15 “(1) \$200,000,000 for fiscal year 2010; and

16 “(2) such sums as may be necessary for each  
 17 of fiscal years 2011 through 2014.”.

18 **SEC. 5. HUD VETERANS AFFAIRS SUPPORTIVE HOUSING**  
 19 **VOUCHERS.**

20 Section 8(o)(19) of the United States Housing Act  
 21 of 1937 (42 U.S.C. 1437f(o)(19)) is amended to read as  
 22 follows:

23 “(19) RENTAL VOUCHERS FOR VETERANS AF-  
 24 FAIRS SUPPORTED HOUSING PROGRAM.—

1           “(A) RENTAL VOUCHERS.—The Secretary  
2           shall make available to public housing agencies  
3           described in subparagraph (C) the amounts de-  
4           scribed in subparagraph (B), to provide rental  
5           assistance through a supported housing pro-  
6           gram administered in conjunction with the De-  
7           partment of Veterans Affairs.

8           “(B) AMOUNT.—The amounts specified in  
9           this subparagraph are the amounts necessary to  
10          ensure that—

11           “(i) not more than 30,000 vouchers  
12           for rental assistance under this paragraph  
13           are outstanding at any one time during fis-  
14           cal year 2010;

15           “(ii) not more than 40,000 vouchers  
16           for rental assistance under this paragraph  
17           are outstanding at any one time during fis-  
18           cal year 2011;

19           “(iii) not more than 50,000 vouchers  
20           for rental assistance under this paragraph  
21           are outstanding at any one time during fis-  
22           cal year 2012; and

23           “(iv) not more than 60,000 vouchers  
24           for rental assistance under this paragraph  
25           are outstanding at any one time during fis-

1 cal year 2013 and each fiscal year there-  
2 after.

3 “(C) PUBLIC HOUSING AGENCIES.—A pub-  
4 lic housing agency described in this subpara-  
5 graph is a public housing agency that—

6 “(i) has a partnership with a Depart-  
7 ment of Veterans Affairs medical center or  
8 an entity determined to be appropriate by  
9 the Secretary of Veterans Affairs;

10 “(ii) is located in an area that the  
11 Secretary of Veterans Affairs determines  
12 has a high concentration of veterans in  
13 need of assistance;

14 “(iii) has demonstrated expertise in  
15 providing housing for homeless individuals;  
16 and

17 “(iv) meets any other criteria that the  
18 Secretary, in consultation with the Sec-  
19 retary of Veterans Affairs may prescribe.

20 “(D) CASE MANAGEMENT.—The Secretary  
21 of Veterans Affairs shall ensure that the case  
22 managers described in section 2003(b) of title  
23 38, United States Code, provide appropriate  
24 case management for each veteran who receives  
25 rental assistance under this paragraph that—

- 1 “(i) assists the veteran in—  
2 “(I) locating available housing;  
3 “(II) working with the appro-  
4 priate public housing agency;  
5 “(III) accessing benefits and  
6 health services provided by the De-  
7 partment of Veterans Affairs and  
8 other departments and agencies of the  
9 Federal Government;  
10 “(IV) negotiating with landlords;  
11 and  
12 “(V) other areas, as the Sec-  
13 retary determines is necessary to help  
14 the veteran maintain housing or avoid  
15 homelessness; and  
16 “(ii) ensures that a veteran with a se-  
17 vere disability, including a veteran that has  
18 been homeless for a substantial period of  
19 time, is referred to sufficient supportive  
20 services to provide the veteran with stable  
21 housing, including—  
22 “(I) mental health services, in-  
23 cluding treatment and recovery sup-  
24 port services;

1 “(II) substance abuse treatment  
2 and recovery support services, includ-  
3 ing counseling, treatment planning,  
4 recovery coaching, and relapse preven-  
5 tion;

6 “(III) integrated, coordinated  
7 treatment and recovery support serv-  
8 ices for co-occurring disorders;

9 “(IV) health education, including  
10 referrals for medical and dental care;

11 “(V) services designed to help in-  
12 dividuals make progress toward self-  
13 sufficiency and recovery, including job  
14 training, assistance in seeking employ-  
15 ment, benefits advocacy, money man-  
16 agement, life-skills training, self-help  
17 programs, and engagement and moti-  
18 vational interventions;

19 “(VI) parental skills and family  
20 support; and

21 “(VII) other supportive services  
22 that promote an end to chronic home-  
23 lessness.”.

1 **SEC. 6. SPECIAL ASSISTANT FOR VETERANS AFFAIRS IN OF-**  
 2 **FICE OF SECRETARY OF HOUSING AND**  
 3 **URBAN DEVELOPMENT.**

4 Section 4 of the Department of Housing and Urban  
 5 Development Act (42 U.S.C. 3533) is amended by adding  
 6 at the end the following new subsection:

7 “(g) SPECIAL ASSISTANT FOR VETERANS AF-  
 8 FAIRS.—

9 “(1) ESTABLISHMENT.—There shall be in the  
 10 Department a Special Assistant for Veterans Af-  
 11 fairs, who shall be in the Office of the Secretary.

12 “(2) APPOINTMENT.—The Special Assistant for  
 13 Veterans Affairs shall be appointed by the Secretary,  
 14 based solely on merit and shall be covered under the  
 15 provisions of title 5, United States Code, governing  
 16 appointments in the competitive service.

17 “(3) RESPONSIBILITIES.—The Special Assist-  
 18 ant for Veterans Affairs shall be responsible for—

19 “(A) ensuring that veterans have access to  
 20 housing and homeless assistance under each  
 21 program of the Department providing such as-  
 22 sistance;

23 “(B) coordinating all programs and activi-  
 24 ties of the Department relating to veterans; and

1                   “(C) carrying out such other duties as may  
2                   be assigned to the Special Assistant by the Sec-  
3                   retary or by law.”.

4 **SEC. 7. HOMELESS VETERANS MANAGEMENT INFORMA-**  
5 **TION SYSTEM.**

6           (a) IN GENERAL.—Subchapter VII of chapter 20 of  
7 title 38, United States Code, as amended by section 3(b),  
8 is further amended by adding at the end the following new  
9 section:

10 **“§ 2068. Homeless Veterans Management Information**  
11 **System**

12           “(a) METHOD FOR DATA COLLECTION AND AGGRE-  
13 GATION.—(1) Not later than one year after the date of  
14 the enactment of this section, the Secretary shall, in con-  
15 sultation with the Special Assistant for Veterans Affairs  
16 of the Department of Housing and Urban Development  
17 and the United States Interagency Council on Homeless-  
18 ness established under section 201 of the McKinney-Vento  
19 Homeless Assistance Act (42 U.S.C. 11311), establish a  
20 method for the collection and aggregation of data on  
21 homeless veterans participating in programs of the De-  
22 partment of Veterans Affairs and the Department of  
23 Housing and Urban Development, including the following:

1           “(A) The age, race, sex, disability status, mar-  
2           ital status of the veteran, income, employment his-  
3           tory, and whether the veteran is a parent.

4           “(B) If the veteran received housing assistance,  
5           the number of days that the veteran resided in such  
6           housing, and the type of housing in which the vet-  
7           eran resided.

8           “(C) If the veteran is no longer participating in  
9           a program, the reason the veteran left the program.

10          “(2) The method required by paragraph (1) shall be  
11       established in a manner that ensures that each veteran  
12       is counted only once.

13          “(b) ANNUAL DATA COLLECTION AND AGGREGA-  
14       TION.—Not later than one year after the method is estab-  
15       lished under subsection (a), and annually thereafter, the  
16       Secretary shall collect and aggregate data using the meth-  
17       od established under subsection (a).

18          “(c) ANNUAL REPORTS.—Not later than two years  
19       after the date of enactment of this section and annually  
20       thereafter, the Secretary shall submit to Congress a report  
21       on the data collected and aggregated under subsection (b).

22          “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
23       are authorized to be appropriated to carry out this sec-  
24       tion—

25               “(1) \$10,000,000 for fiscal year 2010; and



1           “(2) such sums as may be necessary for fiscal  
2       years 2011 through 2014.”.

3       (b) CLERICAL AMENDMENT.—The table of sections  
4 at the beginning of chapter 20 of such title is amended  
5 by adding at the end the following new item:

“2068. Homeless Veterans Management Information System.”.

6 **SEC. 8. PLAN TO END VETERAN HOMELESSNESS.**

7       (a) IN GENERAL.—Not later than 1 year after the  
8 date of enactment of this Act, the Secretary of Veterans  
9 Affairs shall submit to Congress a comprehensive plan to  
10 end homelessness among veterans that includes—

11           (1) an analysis of programs of the Department  
12 of Veterans Affairs and other departments and  
13 agencies of the Federal Government that are de-  
14 signed to prevent homelessness among veterans and  
15 assist veterans who are homeless;

16           (2) an evaluation of whether and how partner-  
17 ships between the programs described in paragraph  
18 (1) would contribute to ending homelessness among  
19 veterans;

20           (3) recommendations for improving the pro-  
21 grams described in paragraph (1), creating partner-  
22 ships between such programs, or eliminating pro-  
23 grams that are no longer effective;

1           (4) recommendations for new programs to pre-  
2       vent and end homelessness among veterans, includ-  
3       ing an estimation of the cost of such programs;

4           (5) a timeline for implementing the plan; and

5           (6) such other information as the Secretary de-  
6       termines necessary.

7       (b) CONSIDERATION OF VETERANS LOCATED IN  
8       RURAL AREAS.—The analysis, evaluation, and rec-  
9       ommendations included in the report required by sub-  
10      section (a) shall include consideration of the circumstances  
11      and requirements that are unique to veterans located in  
12      rural areas.

○